

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: YEN ET AL.

APPLICATION No.: 10/727,332

FILED: December 2, 2003

FOR: DELIVERY OF LICENSE INFORMATION  
USING A SHORT MESSAGING SYSTEM  
PROTOCOL IN A CLOSED CONTENT  
DISTRIBUTION SYSTEM

EXAMINER: HOMAYOUNMEHR, FARID

ART UNIT: 2139

CONF. No: 5294

**Information Disclosure Statement After First Office Action but Before  
Final Action or Notice of Allowance—37 CFR 1.97(c)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed **after** three months of the filing date of this application or **after** the mailing date of the first office action on the merits, whichever occurred last, but **before** the mailing date of either a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of the following references are not enclosed for the following:
- ☒ Copies of references 1-27 are issued patent(s) and published application(s) and are not included (see 37 C.F.R. § 1.98(a)(2)(i)).
  - ☒ Copies of references 28-31 are enclosed.

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

☒ Applicant elects to pay the fee under 37 CFR 1.17(p) in the amount of \$180.00.

☒ The Commissioner is hereby authorized to charge the fee of \$180.00 to Deposit Account No. 50-2207.

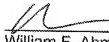
☒ The Commissioner is hereby authorized to charge any deficiency in fees to ensure timely submission of these papers to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Cole LLP

Date: May 27, 2008

  
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